

and "new [market] entrants."^{81/} Likewise, the Commission itself declined to adopt the suggestion of Nextel and others to impose differential regulation based on a carrier's alleged market power.^{82/} No commenter has provided any justification in this proceeding for departing from the consistent treatment of all CMRS providers.

VII. EQUAL ACCESS SHOULD BE IMPLEMENTED IN A MANNER THAT MAXIMIZES CONSUMER CHOICE

The comments confirm that the Commission should implement requirements that minimize customer confusion and maximize competition.^{83/} The success of equal access in the landline market, and the familiarity of customers and carriers with the processes employed to implement equal access there, support the use of those rules as the model for the ones to be imposed on CMRS.^{84/} Adoption of similar rules in this proceeding will enhance consumer choice.

The Commission should reject the proposals for less-than-equal access put forward by some commenters. First, equal access must include 1 + presubscription and the ability to reach interexchange carriers through the dialing of access codes.^{85/} Alone, however, the latter is not

^{81/} See Conference Report at 490-91.

^{82/} Second Report and Order at 1473-1474. Once again, Nextel also argues for an exemption from equal access requirements for "non-dominant" CMRS providers. The Commission has squarely rejected drawing a distinction between "dominant" and "non-dominant" providers for purposes of forbearing from regulating CMRS providers. See pp. 8-10, supra.

^{83/} Cf. LDDS at 15-20; Bell Atlantic at 12; Rochester Telephone Corporation at 2.

^{84/} More specifically, the consent decree negotiated by Justice Department, AT&T, and McCaw in connection with AT&T's acquisition of McCaw offers a paradigm for implementing equal access in the CMRS context.

^{85/} AT&T at 9, n.13; Allnet at 5; MCI at 8; LDDS at 16; Ameritech at 2; NYNEX at 9.

sufficient. To the greatest extent possible, the equal access plan adopted for CMRS providers should use the same presubscription, balloting and allocation requirements that were applied in the landline market.^{86/} Second, equal access should be made available to roamers as well as subscribers in their home systems.^{87/}

Finally, to avoid undue customer confusion and to minimize network redesign and regulatory disparities, any equal access plan should use LATAs (together with exceptions where they have been granted) as local calling areas instead of the myriad serving areas now used by CMRS providers.^{88/} While several commenters argue in favor of the largest possible local calling areas,^{89/} adoption of such a proposal would significantly limit the benefits of equal access by enlarging the proportion of a customer's outgoing calls that would be carried or routed by the CMRS provider. Contrary to the assertions of these commenters, the use of LATAs to determine equal access obligations will not eliminate extended local calling areas.^{90/} As the commenters themselves note,^{91/} rural territories have already been consolidated into single calling areas and the court overseeing the Modification of Final Judgment has permitted the

^{86/} Accord LDDS at 16; CSA at 4; Allnet at 6; NYNEX at 9; MCI at 8.

^{87/} In this regard, the Commission should require that IS-41 capability be made available by all CMRS providers to ensure complete equal access. See AT&T at 10, n.15.

^{88/} Accord Allnet at 5; MCI at 3-4; LDDS at 18-19; WilTel at 13; NYNEX at 8. See also BellSouth at 38; Bell Atlantic at 12.

^{89/} See, e.g., Southwestern Bell at 37-42; Pacific Bell at 4-7.

^{90/} Even if some local calling areas are curtailed, the availability of multiple interexchange carriers to carry traffic will ensure that consumers pay a competitive rate for service between calling areas.

^{91/} Southwestern Bell at 37-38.

consolidation of numerous cellular service areas that cross LATA boundaries.^{92/} As a general rule, however, the goals of equal access and regulatory parity are best served by utilizing LATAs rather than metropolitan trading areas or carrier-designed local service areas^{93/} that will only exacerbate disparities between providers of equivalent CMRS.

CONCLUSION

The imposition of interconnection obligations on CMRS providers is neither necessary nor desirable. It would provide no public benefits, while imposing significant costs and inefficiencies on the offering of commercial mobile radio services and the development of the national wireless infrastructure. By contrast, the uniform imposition of equal access requirement

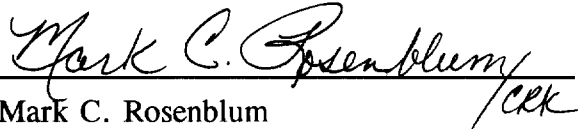
^{92/} See also AT&T/McCaw Consent Decree at § II. (defining local cellular service to include 19 areas consisting of more than one LATA).

^{93/} See Southwestern Bell at 44-45; BellSouth at 38.

on all CMRS providers would enhance competition and consumer choice in interexchange telecommunications. The Commission should adopt rules to implement such a policy.

Respectfully submitted,

AT&T CORP.


Mark C. Rosenblum
Robert J. McKee
Albert M. Lewis
Room 2255F2
295 North Maple Avenue
Basking Ridge, NJ 07920-1002
908/221-3539

Cathleen A. Massey
Scott K. Morris
1150 Connecticut Avenue, N.W.
4th Floor
Washington, DC 20036
202/223-9222

Attorneys for AT&T Corp.

October 13, 1994

D32160.2

CERTIFICATE OF SERVICE

I, Cherie R. Kiser, do hereby certify that copies of the foregoing Reply Comments of AT&T Corp. were served on the following by either first class mail, postage pre-paid, or by hand this 13th day of October, 1994.



Cherie R. Kiser

Chairman Reed Hundt*
Federal Communications Commission
1919 M Street, N.W., Room 814
Washington, DC 20554

Commissioner Andrew C. Barrett*
Federal Communications Commission
1919 M Street, N.W., Room 826
Washington, DC 20554

Commissioner Rachelle Chong*
Federal Communications Commission
1919 M Street, N.W., Room 844
Washington, DC 20554

Commissioner Susan Ness*
Federal Communications Commission
1919 M Street, N.W., Room 832
Washington, DC 20554

Commissioner James H. Quello*
Federal Communications Commission
1919 M Street, N.W., Room 802
Washington, DC 20554

Regina Keeney*
Bureau Chief
Wireless Telecommunications Bureau
Federal Communications Commission
2025 M Street, Room 5002
Washington, D.C. 20036

Judith Argentieri*
Staff Attorney
Wireless Telecommunications Bureau
Mobile Services Division
1919 M Street, N.W., Room 644
Washington, D.C. 20554

Joel H. Levy
William B. Wilhelm, Jr.
Cohn and Marks
1333 New Hampshire Avenue, N.W.
Suite 600
Washington, DC 20036
National Cellular Resellers Association

John T. Scott, III
Crowell & Moring
1001 Pennsylvania Avenue, N.W.
Washington, DC 20554
Bell Atlantic Companies

John M. Goodman
Bell Atlantic Network Services, Inc.
1710 H Street, N.W., 8th Floor
Washington, DC 20006

William L. Roughton, Jr.
Bell Atlantic Personal Communications, Inc.
1310 N. Courthouse Road
Arlington, VA 22201

*By Hand

S. Mark Tuller
Bell Atlantic Mobile Systems, Inc.
180 Washington Valley Road
Bedminster, NJ 07921

Mark J. Golden
Acting President
Personal Communications Industry Association
1019 19th Street, N.W.
Washington, DC 20036

Michael S. Pabian
Ameritech
2000 West Ameritech Center Drive
Room 4H76
Hoffman Estates, IL 60196-1025

Michael J. Shortley, III
RochesterTel
Rochester Tel Center
180 South Clinton Avenue
Rochester, NY 14646-0995

Gerald S. McGowan
Terry J. Romine
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
Dial Page, Inc.

Thomas Gutierrez
J. Justin McClure
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
Miscellco Communications, Inc.

David L. Nace
Marci E. Greenstein
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
Pacific Telecom Cellular, Inc.

Gerald S. McGowan
George L. Lyon, Jr.
John B. Branscome
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
Palmer Communications Incorporated

David L. Nace
Marci E. Greenstein
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
Small Market Cellular Operators

Elizabeth R. Sachs
Lukas McGowan Nace & Gutierrez, Chartered
1111 19th Street, N.W., Suite 1200
Washington, DC 20036
American Mobile Telecommunications
Association, Inc.

Alan R. Shark, President
Jill M. Lyon, Esq.
American Mobile Telecommunications
Association, Inc.
1150 18th Street, N.W., Suite 250
Washington, DC 20036

Peter A. Rohrbach
Karis A. Hastings
Hogan & Hartson L.L.P.
Columbia Square
555 13th Street, N.W.
Washington, DC 20004
LDDS Communications, Inc.

Catherine R. Sloan
Vice President, Federal Affairs
LDDS Communications, Inc.
1825 Eye Street, N.W., Suite 400
Washington, DC 20006

John A. Malloy
Vice President & General Counsel
Columbia PCS, Inc.
201 North Union, Suite 410
Alexandria, VA 22314

Roy L. Morris
Deputy General Counsel
Allnet Communication Services, Inc.
1990 M Street, N.W., Suite 500
Washington, DC 20036

Norman P. Leventhal
Raul R. Rodriguez
Stephen D. Baruch
J. Breck Blalock
Leventhal, Senter & Lerman
2000 K Street, N.W., Suite 600
Washington, DC 20006-1809
TRW, Inc.

John Hearne, Chairman
Alvin Souder, Vice Chairman
Point Communications Company
100 Wilshire Boulevard, Suite 1000
Santa Monica, CA 90401

Joe D. Edge
Richard J. Arsenault
Drinker Biddle & Reath
901 15th Street, N.W., Suite 900
Washington, DC 20006
Puerto Rico Telephone Company

R. Bruce Easter, Jr.
Davis Wright Tremaine
701 Pennsylvania Avenue, N.W.
Suite 600
Washington, DC 20004-2608
Claircom Communications Group, L.P.

J. Jeffrey Craven
D. Cary Mitchell
Besozzi, Gavin & Craven
1901 L Street, N.W., Suite 200
Washington, DC 20036
First Cellular of Maryland, Inc.

J. Jeffrey Craven
D. Cary Mitchell
Besozzi, Gavin & Craven
1901 L Street, N.W., Suite 200
Washington, DC 20036
Dakota Cellular, Inc.

J. Jeffrey Craven
D. Cary Mitchell
Besozzi, Gavin & Craven
1901 L Street, N.W., Suite 200
Washington, DC 20036
Americell PA-3 Limited Partnership

J. Jeffrey Craven
D. Cary Mitchell
Besozzi, Gavin & Craven
1901 L Street, N.W., Suite 200
Washington, DC 20036
Sagir, Inc.

J. Jeffrey Craven
D. Cary Mitchell
Besozzi, Gavin & Craven
1901 L Street, N.W., Suite 200
Washington, DC 20036
Lake Huron Cellular Corporation

David L. Hill
Audrey P. Rasmussen
O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006-3483
Florida Cellular RSA Limited Partnership

David L. Hill
Audrey P. Rasmussen
O'Connor & Hannan
1919 Pennsylvania Avenue, N.W.
Suite 800
Washington, DC 20006-3483
Highland Cellular, Inc.

William D. Baskett, III
Thomas E. Taylor
David S. Bence
2500 PNC Center
201 East 5th Street
Cincinnati, OH 45202-4182
Cincinnati Bell Telephone Company

Bob F. McCoy
Joseph W. Miller
John C. Gammie
WilTel, Inc.
One Williams Center
Suite 3600
Tulsa, OK 74172

George Y. Wheeler
Peter M. Connolly
Koteen & Naftalin
1150 Connecticut Avenue, N.W.
Suite 1000
Washington, DC 20036
Telephone and Data Systems, Inc.
United States Cellular Corporation

W. Bruce Hanks
President
Century Cellunet, Inc.
100 Century Park Avenue
Monroe, LA 71203

Lon C. Levin
Vice President & Regulatory Counsel
AMSC Subsidiary Corporation
10802 Parkridge Boulevard
Reston, VA 22091

Bruce D. Jacobs
Glenn S. Richards
Fisher Wayland Cooper Leader & Zaragoza
2001 Pennsylvania Avenue, N.W., Suite 400
Washington, DC 20006
AMSC Subsidiary Corporation

Daniel C. Riker
President & CEO
DCR Communications, Inc.
2715 M Street, N.W.
Washington, DC 20007

Michael R. Carper
Vice President & General Counsel
OneComm Corporation
4643 Ulster Street, Suite 500
Denver, CO 80237

Theresa Fenelon
Pillsbury Madison & Sutro
1667 K Street, N.W., Suite 1100
Washington, DC 20006
Saco River Cellular Telephone Company

Carl W. Northrop
Bryan Cave
700 13th Street, N.W.
Suite 700
Washington, DC 20005
Triad Utah, L.P.

David Cosson
National Telephone Cooperative Association
2626 Pennsylvania Avenue, N.W.
Washington, DC 20037

Steven E. Watkins
Senior Industry Specialist
National Telephone Cooperative Association
2626 Pennsylvania Avenue, N.W.
Washington, DC 20037

Russell H. Fox
Susan H.R. Jones
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900, East Tower
Washington, DC 20005
Maritel

Russell H. Fox
Gardner, Carton & Douglas
1301 K Street, N.W.
Suite 900, East Tower
Washington, DC 20005
E.F. Johnson Company

Kenneth E. Hardman
Moir & Hardman
2000 L Street, N.W.
Suite 512
Washington, DC 20036-4907
Michael B. Azeez
Durango Cellular Telephone Co.
Ohio State Cellular Phone Company, Inc.
Trillium Cellular Corporation

James. F. Rogers
Latham & Watkins
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, DC 20004
Horizon Cellular Telephone Company

Gary M. Epstein
James H. Barker
Latham & Watkins
1001 Pennsylvania Avenue, N.W.
Suite 1300
Washington, DC 20004
Vanguard Cellular Systems, Inc.

Richard C. Rowlenon
Senior Vice President & General Counsel
Vanguard Cellular Systems, Inc.
2002 Pisgah Church Road, Suite 300
Greensboro, NC 27455

Lisa M. Zaina
General Counsel
OPASTCO
21 Dupont Circle, N.W.
Suite 700
Washington, DC 20036

Edward R. Wholl
William J. Balcerski
New York Telephone Company
New England Telephone & Telegraph Company
NYNEX Mobile Communications Company
120 Bloomingdale Road
White Plains, NY 10605

Jonathan L. Wiener
Daniel S. Goldberg
Goldberg, Godles, Wiener & Wright
1229 19th Street, N.W.
Washington, DC 20036
Ram Mobile Data USA Limited Partnership

James P. Tuthil
Betsy Stover Granger
Pacific Bell
Pacific Bell Mobile Services
140 New Montgomery Street, Room 1525
San Francisco, CA 94105

James L. Wurtz
Pacific Bell
Pacific Bell Mobile Services
1275 Pennsylvania Avenue, N.W.
Washington, DC 20004

William J. Cowan, General Counsel
Mary E. Burgess, Assistant Counsel
Penny Rubin, Assistant Counsel
New York Department of Public Service
Three Empire State Plaza
Albany, NY 12223

David E. Weisman
Alan S. Tilles
Meyer, Faller, Weisman and Rosenberg, P.C.
4400 Jenifer Street, N.W., Suite 380
Washington, DC 20015
National Association of Business
and Educational Radio, Inc.

Michael F. Altschul
Randall S. Coleman
Cellular Telecommunications
Industry Association
1250 Connecticut Avenue, N.W., Suite 200
Washington, DC 20036

Phillip L. Verveer
Melissa E. Newman
Jennifer A. Donaldson
Willkie Farr & Gallagher
Three Lafayette Centre
1155 21st Street, N.W., Suite 600
Washington, DC 20036-3384
Cellular Telecommunications
Industry Association

Diane Smith
ALLTEL Corporate Services, Inc.
ALLTEL Mobile Communications, Inc.
655 15th Street, N.W., Suite 220
Washington, DC 20005

William B. Barfield
Jim O'Llewellyn
BellSouth Corporation
BellSouth Telecommunications, Inc.
BellSouth Cellular Corp.
1155 Peachtree Street, N.E.
Atlanta, GA 30309-3610

Charles P. Featherstun
David G. Richards
BellSouth Corporation
BellSouth Telecommunications, Inc.
BellSouth Cellular Corp.
1133 21st Street, N.W., Suite 900
Washington, DC 20036

Christine M. Gill
Tamara Y. Davis
Keller and Heckman
1001 G Street, N.W.
Suite 500 West
Washington, DC 20001
The Southern Company

Martin W. Bercovici
Keller and Heckman
1001 G Street, N.W.
Suite 500 West
Washington, DC 20001
Waterway Communications System, Inc.

Michael S. Hirsch
Vice President-External Affairs
Geotek Communications, Inc.
1200 19th Street, N.W., Suite 607
Washington, DC 20036

Gail L. Polivy
GTE Service Corporation
1850 M Street, N.W., Suite 1200
Washington, DC 20036

William J. Sill
Nancy L. Killien
McFadden, Evans & Sill
1627 Eye Street, N.W.
Suite 810
Washington, DC 20006
GTE Service Corporation

Thomas J. Casey
Jay L. Birnbaum
David Pawlik
Skadden, Arps, Slate, Meagher & Flom
1440 New York Avenue, N.W.
Washington, DC 20005
New Par

Caressa D. Bennet
Regulatory Counsel
Rural Cellular Association
2120 L Street, N.W., Suite 520
Washington, DC 20037

Michael Kurtis
Gurman, Kurtis, Blask and Freedman, Chartered
1400 16th Street, N.W., Suite 500
Washington, DC 20036
Western Wireless Corporation

Emily C. Hewitt
Vincent L. Crivella
Michael J. Ettner
Tenley A. Carp
General Services Administration
18th & F Streets, N.W., Room 4002
Washington, DC 20405

Werner K. Hartenberger
Laura H. Phillips
Steven F. Morris
Dow, Lohnes & Albertson
1255 23rd Street, N.W., Suite 500
Washington, DC 20037
Cox Enterprises, Inc.

Leonard J. Kennedy
Laura H. Phillips
Richard S. Denning
Dow, Lohnes & Albertson
1255 23rd Street, N.W., Suite 500
Washington, DC 20037
Comcast Corporation

Anne V. Phillips
Vice President, External Affairs
American Personal Communications
1025 Connecticut Avenue, N.W.
Washington, DC 20036

Lewis J. Paper
Keck, Mahin & Cate
1201 New York Avenue, N.W.
Washington, DC 20005-3919
Cellular Service, Inc. and ComTech, Inc

Peter Arth, Jr.
Edward W. O'Neill
Ellen S. Levine
People of the State of California
and the Public Utilities Commission
of the State of California
505 Van Ness Avenue
San Francisco, CA 94102

Peter P. Bassermann
President
SNET Mobility, Inc.
555 Long Wharf Drive
New Haven, CT 06511

Pamela Riley
Director, Public Policy
AirTouch Communications
425 Market Street
San Francisco, CA 94105

David A. Gross
Kathleen Q. Abernathy
AirTouch Communications
1818 N Street, N.W.
Washington, DC 20554

Robert S. Foosaner
Lawrence R. Krevor
Laura L. Holloway
Nextel Communications, Inc.
800 Connecticut Avenue, N.W.
Suite 1001
Washington, DC 20006

Wayne Watts
Carol Tacker
Bruce Beard
Southwestern Bell Mobile Systems, Inc.
17330 Preston Road, Suite 100A
Dallas, TX 75252

James D. Ellis
Mary Marks
Southwestern Bell Corporation
175 E. Houston, Suite 1306
San Antonio, TX 78205

Larry A. Blosser
Donald J. Elardo
MCI Telecommunications Corporation
1801 Pennsylvania Avenue, N.W.
Washington, DC 20006

Judith St. Ledger Rody
Reed Smith Shaw & McClay
1200 18th Street, N.W.
Washington, DC 20036
Paging Network, Inc.

Paul Rodgers
National Association of Regulatory
Utility Commissioners
1102 ICC Building
P.O. Box 684
Washington, DC 20004

**Laurie J. Bennett
US West, Inc.
1020 19th Street, N.W.
Suite 700
Washington, DC 20036**

**Martin T. McCue
United States Telephone Association
1401 H Street, N.W., Suite 600
Washington, DC 20005-2136**

D32271.1